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10 UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,	)	No. CR 05-00228 WDB
13 Plaintiff,	)	
14 v.	)	STIPULATION AND <del>PROPOSED</del>
15 JOAN S. DENNE,	)	ORDER FOR EXCLUSION OF TIME
16 Defendant.	)	UNDER THE SPEEDY TRIAL ACT, 18
17	)	U.S.C. § 3161 <u>ET. SEQ.</u>

18 The parties hereby request that the Court exclude time under the Speedy Trial Act in the  
19 above captioned case pursuant to 18 U.S.C. § 3161(h)(2) from the date of this Order to February 6,  
20 2006 for deferral of prosecution. The parties agree that pretrial diversion is an appropriate  
21 disposition in this matter. The parties further request that the status appearance currently scheduled  
22 for September 29, 2005 at 10:00 a.m. be taken off calendar indefinitely or until such time that  
23 counsel for the government requests an additional status conference..

24 Ms. Denne has been accepted into the Pretrial Diversion Program and to date as complied  
25 with the terms and conditions of the program. Accordingly, the parties agree that the prosecution  
26 will be deferred for a six month period of time for Ms. Denne to demonstrate good conduct under  
27 the conditions of a pretrial diversion program.  
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STIPULATION AND ~~PROPOSED~~ ORDER  
CR 05-00228 WDB

1 SO STIPULATED.

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3 DATED: September \_\_, 2005

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*Edward Sullivan*  
**DEBRA LEVINE**  
 Counsel for Joan S. Deane  
 Edward Sullivan, Esq. Signing for Deborah Levine

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6 DATED: September \_\_, 2005

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*Alicia W. Fenrick*  
**ALICIA W. FENRICK**  
 Assistant United States Attorney

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**ORDER**

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10 Based on the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED  
 11 that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2) until February  
 12 6, 2006 for deferral of prosecution by the United States for the purpose of allowing the defendant  
 13 to demonstrate good conduct under the conditions of a pretrial diversion program. The status hearing  
 14 scheduled for September <sup>29,</sup> 27, 2005 is hereby VACATED.

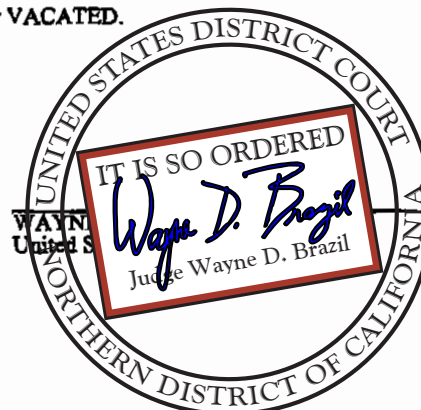
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16 IT IS SO ORDERED.

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18 DATED: September 28, 2005

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STIPULATION AND ~~PROPOSED~~ ORDER  
 CR 05-00228 WDB